

AN ORDINANCE

98813

AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH LA MANSION DEL RIO, INC., AS LICENSEE, FOR AN INITIAL TERM OF 25 YEARS, WITH RENEWAL OPTIONS, SUBJECT TO CITY COUNCIL APPROVAL, FOR THE USE OF 125 RESERVED PARKING SPACES AT THE MID-CITY PARKING GARAGE FOR VALET PARKING OF MOTOR VEHICLES, AT A MONTHLY LICENSE FEE OF \$180.00 PER SPACE, INCREASING PERIODICALLY THROUGHOUT THE TERM, AND AN ADDITIONAL MONTHLY LABOR CHARGE OF \$650.00, PLUS ANY NECESSARY REIMBURSEMENT FOR SUMS EXPENDED TO PROVIDE SIGNS OR OTHER MARKINGS DESIGNATING THE PARKING SPACES.

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WHEREAS, La Mansión Del Rio, Inc. is requesting use of 125 parking spaces in the Mid City Parking Garage to provide valet parking of motor vehicles of patrons and assigned staff of the La Mansión Del Rio and Watermark hotels managed by La Mansión Del Rio, Inc. and the City has agreed to a License Agreement for an initial 25-year term with renewal options, subject to City Council approval; and

WHEREAS, the estimated receipts from the first year of operations under the proposed Agreement are \$185,200.00, and the Agreement provides for periodic increases; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. A License Agreement is approved with La Mansión Del Rio, Inc., as Licensee, for a 25-year term, with three 10-year renewal options, subject to City Council approval, to use 125 parking spaces in the Mid City Parking Garage to provide valet parking for hotel patrons, at a monthly License Fee of \$180.00 per space, increasing periodically throughout the Term, and an additional monthly labor charge of \$650.00, plus any necessary reimbursement for sums expended to provide signs or other markings designating the parking spaces. The City Manager or her designee is hereby authorized to take any steps necessary to implement this ordinance. A copy of the License Agreement, signed on behalf of the Licensee, is affixed hereto as **Attachment I** and incorporated herein verbatim for all purposes.

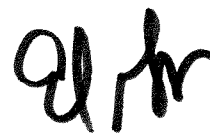
SECTION 2. Revenue collected from this License Agreement will be deposited into Fund 53-004, entitled "Parking Fund", Index Code 061614, entitled "Mid-City Garage: Monthly La Mansion."

SECTION 3. Financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio, who may, subject to concurrence by the City Manager or City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. The City has been advised by its outside bond counsel relating to its parking system that entering into this License Agreement may require the City to defease and/or refinance a portion of the City's outstanding tax-exempt parking revenue bonds and general obligation indebtedness with taxable obligations in accordance with the federal tax covenants in the respective ordinances that authorized the issuance of the obligations whose proceeds have been utilized to fund construction and improvements to the City's parking facilities. Based on the advice of bond counsel, the City will take any action that may be required to comply with the aforementioned federal tax covenants within 90 days of this ordinance. Such action will provide the City with additional flexibility to enter into parking contracts.

SECTION 5. This ordinance shall be immediately effective if passed by at least eight votes. Otherwise, it shall be effective on the 22nd day of February, 2004.

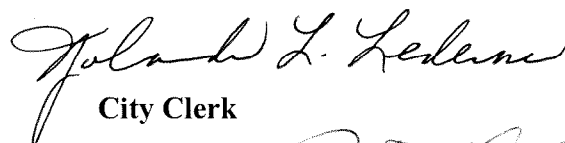
PASSED AND APPROVED this 12th day of February, 2004.



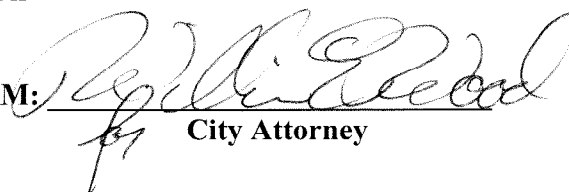
M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney